

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA
OMAHA DIVISION

UNITED STATES OF AMERICA)	
)	8:19-CR-00403-RFR-SMB-1
v.)	
)	
CHARLES ELMORE)	

SENTENCING MEMORANDUM

COMES NOW Defendant, Charles Elmore, pursuant to Fed. R. Crim P. 32, respectfully submits the attached three letters in support for the Court's review and reserves the remainder of his argument for the forthcoming Sentencing Hearing.

Date: July 19, 2022

Respectfully submitted,

s/Matthew Allen Chivari, Esq.

Matthew Allen Chivari, Esq.

Il. Bar 6337524

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Attorney for Charles Elmore

IN THE UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA)	
)	8:19-CR-00403-RFR-SMB-1
v.)	
)	
CHARLES ELMORE)	

CERTIFICATE OF SERVICE

I certify that on July 19, 2022, I electronically filed the foregoing SENTENCING MEMORANDUM with the Clerk of the United States District Court for the District of Nebraska by way of the CM/ECF system, which automatically will serve this document on the attorneys of record for the parties in this case by way of electronic mail.

Date: July 19, 2022

s/Matthew Allen Chivari, Esq.
Matthew Allen Chivari, Esq.
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Attorney for Charles Elmore

Hello your Honor,

My name is Michaela Fitzgibbon, I am a combat veteran, also a mom to 3 children. I first met Charles Elmore in 2015, we quickly became friends at that time I only had 1 child it was around Christmas time and I was struggling a bit to make ends meet, so I couldn't afford to get a Christmas Tree for my son, when Charlie found out, he quickly went to the store and bought us one, my son was so happy. I am telling you this, because that is the type of person Charlie is, he will give you whatever he can, even if it means he has to struggle. He had a dream to start his own tattoo shop and he did everything he could to make that dream a reality. Charlie is a father, a son, a brother and an all around good honest man. I ask you to take that into consideration when sentencing him.

Sincerely

Michaela Fitzgibbon
Mfitzgibla

14012 Polk Cir.
Omaha NE, 68137

June 6, 2022

Your Honor:

I am writing in reference to Charles Elmore, who is being sentenced before your court.

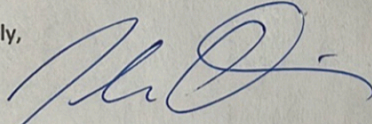
I have known Charles for the better part of 10 years now. We are friends, and I believe I am in a position to speak to Charles's moral character, so I hope you will take this letter into consideration when making your decision.

Charles is, in short, a good person. He has always been a very generous and kind person. He is a very passionate human and has a strong sense of duty. This applies to his job, with his family, and community. Charles possesses a great deal of integrity and is always trying to do the right thing.

He went through, and graduated, a program called the Arch Men's Halfway house with me. He was always someone others, and myself, looked up to. He was always willing to help everyone and offer very sound advice. He is selfless and would give the shirt off his back to anyone in need. He has always been a great friend, human, and community leader.

It must be difficult for you to make decisions like this when you don't actually know the person standing in front of you. I hope you look at my letter before you, and the others you've received, to help you understand that Charles is the kind of person around whom people rally. I believe he is someone the community needs around.

Sincerely,



Josh Orisman, CSM®, CSPO®, SA®
IT Project Manager

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To whom it may concern:

My name is Mike Brinson I have been sober since 4/7/1996 so, 26 years. I have known Charlie for going on 12 years. I can tell you not all was him doing well but, I have seen a huge turn around over the last couple of years his attention to things that matter has really shined through. He has truly been a great member of AA. He and I spoke almost every day up until his incarceration. Not just about blah blah blah but real-life stuff that makes people change. I sponsor many people and am very active in AA This is my life and I take It very seriously. I have seen a lot of people come and go that are unwilling to change and Charlie has changed Given the opportunity I feel confident he could show you a clear direction of positive growth without cluttering up our jail/Prison system. I am a true believer in treatment for drug and alcohol dependency. The Arch men's halfway house has saved so many lives even the ones that do not get it immediately and go to AA for themselves later. It took me 4 treatments to get sober which is the average for us. Charlie is worth the shot. I implore you to please talk to him if only for a couple minutes and you will see what me and so many others see.

Your truly,

Mike Brinson